
By: **Montgomery County Delegation and Prince George's County
Delegation**

Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Prince**
3 **George's County - Stadium Naming Rights**
4 **MC/PG 103-01**

5 FOR the purpose of authorizing the County Executive of Prince George's County to
6 sell or lease naming rights for a stadium in the county managed or owned by the
7 Maryland-National Capital Park and Planning Commission or located on land
8 managed or owned by the Commission; requiring a procedure for determining
9 the value of the naming rights; requiring that the proceeds from the sale or
10 lease of naming rights go toward the hiring and retention of teachers in Prince
11 George's County and that the proceeds be indicated in the annual budget for the
12 Prince George's County School Board; and generally relating to the sale or lease
13 of naming rights by the Prince George's County Executive for a stadium located
14 in that county and the use of proceeds received from that sale or lease.

15 BY repealing and reenacting, with amendments,
16 Article 28 - Maryland-National Capital Park and Planning Commission
17 Section 5-110
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 2000 Supplement)

20 BY adding to
21 Article 28 - Maryland-National Capital Park and Planning Commission
22 Section 5-110.1
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 2000 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article - Education
27 Section 5-103
28 Annotated Code of Maryland

1 (1999 Replacement Volume and 2000 Supplement)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
3 MARYLAND, That the Laws of Maryland read as follows:

4 **Article 28 - Maryland-National Capital Park and Planning Commission**

5 5-110.

6 The Commission may (1) lease for a term not exceeding 40 years and renew the
7 lease from time to time for additional terms not exceeding ten years each, to any
8 responsible individual, partnership or corporation, any portion of the lands within the
9 metropolitan district, acquired for park purposes under any of the provisions of this
10 article. The Commission may not enter into any lease agreement in excess of 20 years
11 duration without the prior approval of the provisions of the lease by legislative
12 enactment of the county in which the lease property is located in whole or in part.
13 Further, all such lease agreements shall contain provisions for reversion without cost
14 to the Commission of the property and its improvements regardless of whether the
15 improvements were added to the property by the lessee during the term of the lease or
16 any extension of the lease; and/or (2) EXCEPT AS PROVIDED IN § 5-110.1 OF THIS
17 ARTICLE, grant privileges, permits, and/or concessions, and/or enter into contracts
18 relating to the same, with any responsible individual, partnership, or corporation, to
19 engage in any business or enterprise on lands acquired for park purposes within the
20 metropolitan district under any of the provisions of this article; all on terms and
21 conditions the Commission deems advantageous to the development of the park
22 system as a part of the plan for the physical development of the metropolitan district
23 and the plan of the Maryland-Washington Regional District within the metropolitan
24 district. The purpose for which the property is leased, and/or the privileges, permits,
25 and/or concessions are granted, may not be inconsistent with the use of the property
26 for park purposes. Any lease and/or contract executed under the authority of this
27 section shall contain a condition, stating specifically the purposes for which the
28 property is leased, and/or the privilege, permit, or concession is granted. All
29 agreements entered into by the Commission pursuant to this article shall contain
30 provisions forbidding the assignment of the agreement without the consent of the
31 Commission. This article may not be interpreted as a limitation on the Commission's
32 authority to require in any agreement more restrictive provisions deemed by the
33 Commission to be in the public interest. The provisions of this article may not be
34 construed to validate any lease or agreement executed prior to July 1, 1972, which
35 provides for an initial term beyond 20 years duration, nor to permit the renegotiation
36 of any lease or agreement executed prior to July 1, 1972, for the purpose of extending
37 the initial term of the lease beyond 20 years duration. This limitation does not apply
38 to any lease with a nonprofit, service-oriented organization.

39 5-110.1.

40 (A) NOTWITHSTANDING THE PROVISIONS OF § 5-110 OF THIS ARTICLE, THE
41 COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY MAY SELL OR LEASE THE RIGHT
42 TO NAME A STADIUM OR ARENA THAT IS LOCATED IN THE COUNTY AND:

- 1 (1) MANAGED OR OWNED BY THE COMMISSION; OR
2 (2) LOCATED ON PROPERTY MANAGED OR OWNED BY THE COMMISSION.

3 (B) BEFORE SELLING OR LEASING THE NAMING RIGHTS OF A STADIUM OR
4 ARENA, THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY SHALL SOLICIT BIDS
5 USING THE PROCEDURES ESTABLISHED IN THE PRINCE GEORGE'S COUNTY CODE
6 FOR COMPETITIVE SEALED PROPOSALS.

7 (C) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY SHALL USE THE
8 PROCEEDS FROM THE SALE OR LEASE OF THE NAME OF THE STADIUM OR ARENA
9 FOR TEACHER RECRUITMENT AND RETENTION IN THE PRINCE GEORGE'S COUNTY
10 SCHOOL SYSTEM.

11 **Article - Education**

12 5-103.

13 (a) The amount requested in the annual budget of each county board for
14 current expenses for the next school year and that is to be raised by revenue from
15 local sources may not be less than the minimum amount required to be levied under
16 § 5-202 of this title.

17 (b) (1) The county commissioners or county council may provide funds that
18 are more than the amount required by § 5-202 of this title to support improved and
19 additional programs.

20 (2) THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY SHALL:

21 (I) APPROPRIATE IN THE COUNTY BUDGET THE PROCEEDS
22 RECEIVED UNDER ARTICLE 28, § 5-110.1 OF THE CODE FROM THE SALE OR LEASE OF
23 NAMING RIGHTS FOR A STADIUM OR ARENA LOCATED IN THE COUNTY; AND

24 (II) ALLOCATE THOSE PROCEEDS FOR TEACHER RECRUITMENT
25 AND RETENTION.

26 (c) If a county council or board of county commissioners does not approve the
27 amount requested in the budget that is more than the amount required by § 5-202 of
28 this title:

29 (1) The county council or board of county commissioners shall indicate in
30 writing, within 15 days after the adoption of the budget, which major categories of the
31 annual budget have been reduced and the reason for the reduction; and

32 (2) The county board shall submit to the county governing body, within
33 30 days after the adoption of the budget, a report indicating how the alterations to the
34 budget will be implemented, accompanied by reasonable supporting detail and
35 analysis.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2001.